

ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014

Shaded Area For Office Use Only

Case No. 106

Date Filed 6-17-98

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$1107⁰⁰

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name McComas Nina S., Sewell, Charles, et al Phone Number _____

Address 9 Ridgecliffe Court Kingsville MD 21087
Street Number Street State Zip Code

Property Owner Same Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser _____ Phone Number _____

Address _____
Street Number Street State Zip Code

Attorney/Representative Robert S. Lynch
Lawrence F. Kreis, Jr. Phone Number (410) 879-2222
Stark & Keenan, P.A.

Address 30 Office Street Bel Air MD 21014
Street Number Street State Zip Code

Land Description

Address and Location of Property (with nearest intersecting road) West side of intersection of
Abingdon Road and Sewell Road

Subdivision NA Lot Number NA Acreage/Lot Size 136 Election District 01

Existing Zoning R1 & R2 Proposed Zoning R2 Acreage to be Rezoned 116.5

Tax Map No. 62 Grid No. 3C Parcel 97 Deed Reference 2619/0811

Critical Area Designation _____ Land Use Plan Designation Low Intensity

Present Use and ALL improvements: Vacant

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) Residential

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

No If yes, describe: _____

Estimated Time Requested to Present Case: Three (3) Hours

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

NINA S. MCCOMAS
CHARLES SEWELL, et. al.
MAP 62; PART OF PARCEL 97

(b) (1) The Applicant maintains that there is a mistake as to the existing R1 zoning. The subject property as shown on the 1996 Land Use Element Plan and Land Use Map is designated "Low Intensity". (See attachment (b) (1) Land Use Map & Key). The property has direct frontage on Abingdon Road, which is functionally classified as an Urban Collector road. The current R1 zoning is not consistent with the Master Plan, and given the major residential development that has occurred since 1989, the character of the neighborhood has changed. At the time of the 1989 Comprehensive Rezoning, Harford County failed to zone the property to an R2 zoning classification that would be consistent with the Master Plan and the neighborhood.

(2) Since the last Comprehensive Rezoning in 1989, there have been numerous changes in the neighborhood. Since 1989, extensive residential development has occurred primarily to the North, East and West of the subject site.

(c) The proposed reclassification of the property to an R2 zoning classification is consistent with the 1996 Land Use Element Plan and Land Use Map (See attachment (b) (1)).

(d)

(1) See attachment (d) (1).

(2) The rezoning of this property to an R2 classification will result in development, pursuant to the R2 development standard.

(3) Neighborhood: The neighborhood is defined as the area bordered by Hookers Mill Road to the North; HaHa Branch to the

West; Route 40 to the South and Bush Road to the East. (See attachments (d)(3)).

(4) See attachment (d)(3).

(5) The Capital Improvement projects identified in the FY1997-1998 C.I.P. for this area are as follows:

A. Sewer: Bynum Run Parallel

B. Schools: The following schools are planned for construction in this area - Creswell Elementary School in 1999 and Edgewood Area Elementary School in FY2001.

(e) Rezoning in the neighborhood:

<u>Case</u>	<u>Name</u>	<u>Request</u>
018	Henry Sonberg	R2 to B2
019	Abingdon Fire Co.	R2 to B2

(f) See attachment (d)(1).

(g) See attachment (d)(g)

(h) None

(i) None

(j) Within Harford County water and sewer service area.